

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 18, 1974

1:00 P. M.

Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love

Absent: None

The Invocation was delivered by REVEREND HAROLD J. FOYE, St. Austin's Catholic Church.

APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Special Meeting Minutes of July 11, 1974 (11:00 a.m.) and the Regular Meeting Minutes of July 11, 1974 (1:00 p.m.). The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox, Lebermann

Noes: None

APPOINTMENTS

Mayor Butler announced that the Council had been in an Executive Session earlier that day and that appointments were discussed and were now before the Council for action.

Executive Committee for the Criminal Justice Planning Unit

It was noted that under the terms of the recently approved cooperation agreement between the City and Travis County, a member of each governmental body was to be selected to serve. Therefore, Mayor Pro Tem Love moved that the Council appoint Mayor Roy Butler as the City's representative to serve on the

Executive Committee for the Criminal Justice Planning Unit. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Goals Assembly

Councilman Friedman moved that the Council appoint the following to the Goals Assembly of the Austin Tomorrow Program:

Business:

Mr. Fred Mann
Mr. Gary Caywood
Mr. R. A. Nichols
Mr. Joe K. Wells
Mr. Van Vahrenkamp
Mrs. Homer Garrison
Mr. Mike McHone

Professionals:

Mr. Ed Bluestein
Mr. Rick Evans
Mr. John Simpson
Mr. Arthur Boone
Mr. L. J. Burks
Mr. Roger Hanks
Mr. Bob Tintsman
Mr. Warren Beaman
Mr. Clark Rector
Mr. Jim McGrew
Mr. Allen McCree
Father Fred Underwood
Mr. Robert Villinueva
Ms. Amalia Rodriquez
Mrs. Christy McCrary

Labor:

Mr. Clarence Meyer
Mrs. Connie Hufnagle
Mr. Max Ladusch
Mr. D. A. Ragsdale
Mrs. Charlotte MacDaniels
Mr. Charles Ayres
Mr. Bill Petri
Mr. Cecil Barnes
Mr. Walter Timberlake, Jr.
Mr. Willie Eggeling
Mr. Joe Garcia
Mr. Salvador Cantu
Ms. Faye Holub

Clerical:

Ms. Kathryn Butler
Ms. Ofelia De Los Santos
Ms. Dottie Wills
Ms. Virginia Camirillo
Ms. Dorothy Brown
Mrs. Margaret Behrens
Ms. Eileen Navaro
Mr. Bob Erler
Ms. Sarah Boardman

Not In Work Force:

Mrs. Mary Arnold
Mrs. Morris Shapiro
Mrs. James Calvert
Mrs. Floy Windham
Mrs. Josephine Zamarripa
Mr. Cecil Rigsby
Mrs. Helen Hill
Mr. D. P. Johnson

High School:

Kim Barnes
Richard Hunter
Lynn Lindsey

College:

Mr. Fred Fox

College Student Body Presidents:

Mr. Buck Harvey
Mr. Luke Gilliland
Mr. Tom Keel
Mr. Peter Schennken

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love
Noes: None

Elisabet Ney Museum Board of Directors

Councilman Lebermann moved that the Council appoint the following to the Elisabet Ney Museum Board of Directors:

Mrs. Felder Thornhill	Mrs. E. P. Conkel
Mrs. Lael Coates	Mr. George Heyer
Mr. Moton H. Crockett, Jr.	Mrs. Richard F. Brown
Mr. Bill Francis	Mr. Joe Goeth
Mrs. Frank McBee, Jr.	Mrs. Kerry Merritt
Mr. Charles Dent	Mrs. Frank Lake
Mrs. Ross Rost	Mr. Mark Levbarg
Mrs. Allen Searight	

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love, Councilman Binder
Noes: None

HEARING ON EXTENSION OF WEST 9TH STREET AND
WIDENING OF WEST 10TH STREET

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on the extension of West 9th Street and widening of West 10th Street. MR. JOE TERNUS, Urban Transportation Director, indicated that this project had been included as a part of the Austin Development Plan to provide increased safety and mobility for the citizens of Austin. He reviewed the situation by use of slides. He noted that the administration was proud of the professional efforts of Bovay Engineers, the consultant selected by Council in August of 1973 to prepare preliminary plans for this vital project. He introduced MR. BRUCE MOTHERALL, Manager of Civil Engineering Department of Bovay.

Mr. Motherall appreciated the fact that there was an intense interest by the citizens regarding the improvements, which he felt was a good and healthy sign. He indicated that they were aware of this interest when they received the initial assignment from Austin to study and prepare an engineering report regarding the design of a one-way couplet along 9th and 10th Streets between Lamar and Guadalupe. He indicated that in preparing this report they understood that any improvements which were aesthetical should be compatible with the environment. He stated that after the initial engineering report was completed in January for review, their assignment was expanded to include supplement studies of Austin, current and long-range traffic requirements as applied to the specific study area. He added that they were directed to independently determine the future east-west traffic requirements between Lamar and the central business district and the optimum location for any needed improvements. He further stated they were also authorized to study any necessary alignments

required in order to minimize the impact on the environment and the residents of this area. He noted that they undertook this assignment with complete objectivity in mind and to supplement their staff regarding the traffic requirements, they employed Mr. Cooper McKearnen, a highly qualified independent traffic consultant. He stated that they had concluded, after careful consideration of several alternatives including no project; 10th Street as an improved two-way street; and 10th and 11th Streets as a one-way couplet, that the 9th and 10th Streets improvements provided the optimum location consistent with traffic mobility, safety, and lowest cost to distribute traffic between downtown Austin's one-way street system's access corridors to MoPac. He indicated that their studies, which were completed in May, also concluded the following:

1. Austin's population would continue to grow rapidly with many new residents in northwest and southwest Austin. Employment in the central business district and Capitol area would double by 1990. Therefore, with the use of MoPac, traffic to the western approaches to the central business district would also nearly double by 1990.
2. By involving Lamar in distribution of this traffic, which the 9th and 10th Streets improvements would do, north-south streets closer to the City's center would be relieved of some corridor traffic enabling them to better provide local service.
3. Land use in the area immediately west of the City's center had changed toward high density, professional office buildings; and anticipated traffic quantities would be compatible with this expected use.
4. With careful planning and proper identification of critical factors, the improvements could be constructed to be harmonious with natural features of the area and could provide needed access to extend enjoyment of these features to City residents.

He felt that their study projections were as complete and accurate as long-range projections could be determined and that the report recommended the best solutions to the problems. He noted that they were assigned to study from environmental, engineering, and cost view points. In conclusion, he thanked the Council for the opportunity to speak.

Mr. Ternus indicated that this project had been developed through the assistance of a special interdisciplinary team consisting of representatives of Public Works, Urban Transportation, Parks and Recreation, Planning, Engineering, Environmental Resource Management, Property, and Construction Engineering Departments. He added that this team had developed a project which satisfied the joint community needs to provide a safer, smooth, balanced access to the downtown area and to preserve the neighborhood and traditional aspects of this area. In conclusion, he thanked the Council for the opportunity to present this portion of the proposal for the Council's consideration.

At this point, Mayor Butler felt it would be appropriate to make a comment in regard to this project. He noted that it had been brought out by some of those in opposition to this plan that since he had property in the

area, there might be a conflict of interest on his part. He noted that he was very much in favor of the project and felt that it was in the public interest and that the vitality was important to the community. In spite of his belief, he stated that he would abstain and felt it appropriate to mention at this time.

The following appeared in support of the proposal:

MR. PAUL R. HAMILTON, 900 Rio Grande, indicated that as an interested land owner he had kept abreast of the controversy surrounding the improvements. He stated that Mr. Tom Granger had canvassed the land owners in the area with particular attention to the property along 9th and 10th Streets. He felt that these persons had a vast interest in the neighborhood and a standing in this matter to make a significant contribution to the Council's decision. He noted that the petition contained the signatures of these land owners and several hundred Austin citizens who work in the area and were in support of the City's proposal. He presented the Council with the petition along with a map showing the location of the land owners. He noted that in 1965 and 1969 the Planning Department published its Comprehensive Traffic and Arterial Program which provided for the extension of West 9th Street and the improvement of 10th Street in this area. He felt that it was obvious then and now that the downtown business district would follow an orderly development to the west into the area in controversy. He further noted that since 1965 many commercial businesses including his own had been located in this area so that the neighborhood was becoming more commercial than residential. In an effort to eliminate the lack of standing of some of the members of the group opposed to the development, he stated that the spokesman, Mrs. Carolyn Bucknall, was not the owner of her residence located at 808 West Avenue.

At this point, Mayor Butler read a letter from KENNETH W. BROWN and WILBUR CARR BROWN, agents for the owners, Mrs. Francis Davis Lindsay and Mrs. Fannie Montgomery Hunt, in which they stated that they had discussed this matter with several citizens of Austin and had unanimous consensus that this would enhance the safety, efficiency, and traffic balance of downtown Austin; and they, therefore, requested that the Council expedite any plans that they might have at this time to accomplish this development and improvement.

In response to Councilman Binder's questions as to how many land owners signed the petition and how many land owners there were for the area so that he might have some basis for comparison, Mr. Hamilton did not have the information but stated that he would provide this later in the meeting. In response to Councilman Binder's further questions with regard to who had the right to oppose, Mr. Hamilton stated that when Mrs. Bucknall called her first meeting in the park, there were a number of people who were obviously not land owners in the area. Councilman Binder wondered if there were some who had signed the afore-mentioned petition who did not have a stand in the issue. Mayor Butler suggested that what Mr. Hamilton had meant was that the land owners should have primary claim about what happened to the neighborhood in that they were not as mobile. Councilman Binder noted that there were a lot of people who were interested in this who were not land owners and that he accepted both sides' opinions as being valid.

MR. ROGER HEINTZ, local manager for Wilbur Carr Brown, power of attorney for Mrs. Lindsay, indicated that his firm managed the property at 808 West Avenue on which a 50-year old two-story home is located. He felt that this home was in terrible condition and should be restored and made a historical

landmark if possible. He noted that the City valuation on the property was over \$30,000 and presented a problem in that they would hate to tear the structure down but to be able to restore it they would need \$5,000 to \$10,000. He noted that it presently rented for \$165 per month, which gave them practically no return on the investment. He further noted that negotiations had been made via a tentative letter of agreement with a gentleman whereby he would spend \$5,000 to restore the home and pay \$300 per month for rent. He believed that with the extension of 9th Street this property would be enhanced for the use of anyone wanting to use it and looked forward to seeing 9th Street's being extended.

MR. STERLING KINSER, 705 West Avenue, indicated he was very much in favor of the proposal. He noted that he had been on the Planning Commission in 1961 when this issue was first studied, and he felt at that time that this would be an asset to Austin. He further noted that he still felt the same.

MR. DICK HODGKINS, 1652 American Bank Tower, noted that even though he was the citizens' representative for the Urban Transportation Study Steering Committee, he was present from a personal standpoint in that he had been interested in this area for a number of years. He felt that by widening streets, there was a more orderly flow of traffic, thereby preventing congestion and discouraging accidents. He recommended that the Council accept the proposal for the improvements.

MR. JERRY NORWOOD, 721 Congress, appeared representing Downtown Unlimited. He noted that they were in favor of enhancing the flow of traffic to the downtown area and, therefore, recommended that the Council approve the proposal to widen 10th Street.

MR. DON CUMMINS, 3400 Northland Drive, appeared as Chairman of the Street and Road Committee of the Austin Chamber of Commerce. He noted that at their meeting on July 15, 1974, there was a presentation by the Urban Transportation Department; and after discussion, the Committee took the following action:

1. Commended the City for diligent and effective planning to avoid use of existing park land and to maximize the preservation of a nearby small park and wilderness area.
2. Recognized the proposal's necessity to benefit the majority of the citizens by providing safer and quicker access to the downtown area.

He felt the City was very fortunate to have the fine staff in the Urban Transportation Department and that they should be commended on their proposal. He urged that the Council give serious consideration to the extension of 9th Street and the widening of 10th Street.

MR. BILL YOUNGBLOOD, 1206 Parkway, reviewed the difficulty of his employees' turning left on to Lamar because of the island in front of his property. He also noted that it was almost physically impossible for two cars to traverse the bridge on 10th Street. He complimented the City Manager and staff for their objective point of view in studying this issue. In conclusion he stated that he was in favor of this and hoped that the Council would take affirmative action.

MR. MORGAN HUNTER, resident in Austin for 34 years, indicated that until a few weeks ago he was not aware that there was a park between West Avenue and Shoal Creek. He suggested that if the Council wanted the public to have the benefit of all the parks, they should make them accessible to the general public as well as the people in the area. He felt that the proposal would do this and commended it to the Council.

The following appeared in opposition to the proposal:

MR. NOEL LEVY, 1913 Robbins Place, appeared as Chairperson of the Environmental Protection Committee of Student Government at the University. He indicated that he was in opposition because 9th Street would cut through the existing natural wooded area. He felt that the extension would promote more traffic on Lamar and that it was a waste of tax payer's money. He suggested that existing land be turned into some kind of park and a hike and bike trail down to Town Lake.

MS. CAROLYN BUCKNALL, 808 West Avenue, appeared as Chairman of the Old Austin Neighborhood and noted that she and her husband had offered to buy the house but had never had response from the owners. She wondered if Mrs. Lindsay was appraised of the fact that the City's initial plan was to put the road on the dedicated park land. (She noted that she was referring to the land sold by Mrs. Lindsay's mother to the City with the stipulation that it be used for park land.) She stated that there was adequate access to the park in the area by way of Shoal Creek and 10th Street. The commissions her organization appeared before reported back to the Council as follows:

Traffic and Safety voted to support the project.

Parks and Recreation agreed the park would be severely impacted and did not recommend the extension of 9th Street.

Citizens Board of Natural Resources and Environmental Quality favored limiting the project to a four-lane, two-way 10th Street and recommended an intensive urban design study of the Old Austin Neighborhood.

Historical Landmark Commission, lacking a quorum, suggested that the matter be deferred for further study.

She reviewed the land use and local sentiment by use of slides. She noted that they delivered forms to be completed by those in the area, which were for the purpose of soliciting opinions of how people felt about the extension.

MS. GERI FARMAN, Vice President of the Travis Audubon Society, noted that the Society's Board had asked her to speak for them. She stated that in 1972 the Society had prepared a list of areas they considered to be fragile and unique and that this small area, the park, was included in its original list. She added that the selection was based on the experience of Audubon members who were impressed with two basic qualities:

1. Diversity of plant, bird, and small animal species.
2. The position of such a refuge with the extensive development of downtown Austin.

She believed that the proposed plan would significantly alter the factors which worked to maintain these unique qualities of the site. She questioned whether it was in the best interests of the City as a whole to proceed with this plan and recommended the following:

1. 9th Street not be extended through this area and that alternate concepts be evaluated.
2. The road easement for 9th Street be transferred to the Parks Department so that it would be a unified site in terms of ownership as well.
3. One remaining privately-owned tract in the area south of the park be sought by the City for purchase.
4. Areas within the park remain basically unaltered.
5. Council ask environmental groups to prepare a report on the natural features of this site.
6. Additional refuges such as this be purchased by the City.

MR. DALE NAPIER, 1919 Robbins Place, appeared as Chairperson of the University City Lobby Committee, who believed this proposal should be defeated. They felt that in order for this road to be above the flood plain it might need to be raised 3 to 5 feet above the ground level and would divide the park in half. They also felt that the environment of the park would be noticeably detracted because of the influx of automobile traffic. He suggested that if more access to the park was necessary, there should be more hike and bike trails.

MS. SANDRA WEINSTOCK, representing the Concerned Citizens for Development of West Austin, gave the following reasons for opposing the extension of West 9th Street and widening of West 10th:

1. Would encourage unwarranted traffic into this close residential neighborhood.
2. Would change the quality of the natural area in the park.
3. Would only destroy the property which should be preserved.

She stated that their main concern was the erosion of their neighborhood by the automobile. She noted that she had been told this would solve traffic problems; however, she felt that there were no traffic problems at this time. She did not believe these streets would save a dying downtown but would "cause its death" because of the amount of traffic. She made the following suggestions:

1. Widening of the bridge on West 10th Street.
2. Left-hand turn lane should be restored on Lamar.

In response to Mayor Butler's question, she felt that they would be effected by this proposal and suggested that the money used on it should be used on a mass transportation project.

MR. JOHN GALLERY, Associate Dean and Director of the Graduate Program of Planning at the University of Texas, indicated that he was not a resident of the area but felt that because this issue involved issues of planning justification, he was professionally competent to comment. He stated that in the Bovay report there was indication that westward growth downtown was contained by I. H. 35 on the east and Town Lake on the west; and therefore, it was necessary for commercial growth to move into this area. He indicated that this was a fairly obvious indication that there was a rather substantial amount of unintensely developed land in the area and that it would take a very substantial amount of growth in the downtown area to fill these areas and to require the west area to be used for development purposes. He noted that in the report there was no consideration whatsoever to the traffic needs if this should remain as a residential area. He added that what he found disturbing about the report was the lack of alternatives and that any serious examination of the alternate ways of responding to the traffic problem would involve examinations of all the streets, other street widening, reverse direction flow, variable direction flow, traffic signalization, and other things connected with street program design. He felt that there had not been broad enough consideration of the traffic problems that he felt should be anticipated as a result of the MoPac Expressway. For these reasons, land use reasons, environmental reasons, and transportation justification, he felt there was sufficient justification for not proceeding with this project.

He stated that there had been substantial concern that as the City grows there is an inadequate amount of transportation facilities. In regard to this, he noted that transportation occupies about 50% of the land use of the City with recreation and open space representing less than 2%. He added that he had never seen a city delete streets in favor of open space; and in almost all cases where this conflict existed, there should be an overwhelming need for transportation improvements before open space should be given up. He did not feel in this case that an overwhelming need was present.

MR. BRIAN DUDLEY, representing the Old Austin Neighborhood, briefly described the 9th and 10th Streets' couplet by indicating that each street would be 40 feet wide and would carry four lanes of traffic. He noted that the projected traffic volumes might exceed 20,000 vehicles per day by 1990. He stated that they had done an in-depth study of the traffic system existing in this area and had developed deficiencies relating to actual need and effectiveness of the proposal. He reviewed the effect this proposal would have on Lamar by use of films and stated that the traffic situation would be compounded with the implementation of the system. He offered some alternatives assuming Austin should maintain its strict dependency on the automobile:

1. Reversible lane system on 5th and 6th Streets.
2. Signalization and design improvements to yield better utilization of the Congress and Guadalupe bridges over Town Lake.
3. Improved viable public transportation system along with promotion of car pools and staggered work hours and innovative bus or rail systems utilizing existing rail lines.

In conclusion, he reiterated that the proposal would not solve any of the traffic problems and would only compound them.

MR. TED SIFF, representing the Old Austin Neighborhood, indicated that there were other values to be considered in addition to moving traffic:

1. Environmental and land use values.
2. Historical values.

He stated that he did not want 9th Street extended and wanted to make the old Austin neighborhood a vibrant part of the City and help the central business district as well by doing so.

The following appeared in opposition to the extension of West 9th but in support of the widening of West 10th:

MR. TOM BAYNE, 705 West 8th Street, noted that he was opposed to the extension of West 9th in that it would destroy the beauty of the area by going through the park. However, he did believe that 10th Street could have improvements made to it by widening the bridge. He requested that some sort of compromise be arranged in connection with this.

MR. BERT HOOPER, member of the Citizens' Board of Natural Resources and Environmental Quality, indicated that he had not intended to make a presentation but was there to answer any questions. However, he noted that it had been their recommendation that the extension of 9th Street be deferred until necessary and that the widening of 10th Street be approved.

At this point, Councilman Binder announced the following in connection with the request made earlier of Mr. Paul Hamilton concerning the petition containing signatures of land owners in the area who had been canvassed:

- 64 land owners in the area
- 32 land owners signed the petition
- 16 unable to be contacted
- 16 refused to sign the petition

MR. NORMAN JOSEPH SWIFT appeared requesting a policy change in relation to an amendment of the Capital Improvements Program so that the non-profit organizations could have a pool to bring people from all walks of life together.

Council Discussion

Mayor Pro Tem Love commented that earlier in the meeting it had been stated that the City's commissions and committees did not agree with each other or the City. He stated that these were advisory commissions and recommendations made by them were in fact just that.

Motion

Mayor Pro Tem Love moved that the Council close the public hearing and direct the staff to proceed with the extension of West 9th Street and the widening of West 10th Street. Councilman Dryden seconded the motion.

Councilman Friedman stated that the Council was concerned with improving the downtown area, and he felt that 9th Street was not going to offer anything to the downtown area. He noted that he could wait a while to find out how important this extension was going to be.

Substitute Motion

Councilman Friedman moved that the Council close the public hearing and stop any further consideration of the extension of West 9th Street and proceed with the widening of West 10th Street into a two-way street. Councilman Binder seconded the substitute motion.

In response to Councilman Binder's question, City Attorney Don Butler stated that both projects were authorized in the Capital Improvements Program as approved last August. He added that if the Council voted to delete or modify the project, it would be a vote to amend the Capital Improvements Program ordinance to remove these items and would require four votes to amend. He further added that if the Council voted to approve the project, there would be a contract awarded, which would also require four votes.

Roll Call on Substitute Motion

Roll Call on Councilman Friedman's substitute motion, Councilman Binder's second, showed the following vote:

Ayes: Councilmen Friedman, Binder

Noes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love, Councilman Dryden

Abstain: Mayor Butler

The substitute motion failed to carry by a 2 to 4 vote.

Councilman Binder prefaced his affirmative vote by stating that this was his favorite area and one in which offices co-existed with residents. He felt that increasing the traffic flow through that area would be detrimental to the area and would encourage people to put in bigger and taller offices instead of converting homes. He added that he did not want either street to carry more traffic through this area.

Councilman Handcox prefaced his negative vote by indicating that with more urban sprawl downtown, the more there would be outside.

Councilman Dryden prefaced his negative vote by stating that some excellent points had been brought out today by interested citizens on both sides. He noted as a matter of record that the property that belonged to the woman mentioned by Ms. Bucknall was purchased by the City for the development of 9th Street from West Avenue to Lamar, and the property was purchased specifically for that purpose. He also believed that when this project was completed, the park would not be disturbed.

Roll Call on Original Motion

Roll Call on Mayor Pro Tem Love's motion, Councilman Dryden's second, that the Council close the hearing and direct the staff to proceed with the extension of West 9th Street and the widening of West 10th Street, showed the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann
Noes: Councilmen Friedman, Binder
Abstain: Mayor Butler

The Mayor announced that the motion had carried.

AMENDMENT TO AUSTIN DEVELOPMENT PLAN

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on the passage of a resolution on an amendment to the Austin Development Plan as follows:

An area of approximately 25.5 acres requested by Columbia Scientific Industries by R. T. Mayfield for a change in the land use designation from Suburban Residential to Planned Development Area. The request is located on Old U. S. Highway 183, northwest of Austin; it is bounded on the north by Oak Forest Estates Subdivision, on the west by an unnamed road, on the south by Q Ranch Road, and on the east by Old U. S. Highway 183.

Mr. Dick Lillie, Planning Department Director, felt it important to note that this application was outside the City limits and that Texas cities had very limited jurisdiction beyond the limits. He added that the City could not regulate the use of land. He noted that the applicant had worked with the City and had met with the land owners in the area to work out and answer questions with regard as to how this land might be used. He reviewed an aerial photo which showed that this area was developing into suburban residential. He stated that the applicant would use the plant for research and development, engineering, and manufacturing of audio/audio-visual electronic instruments and that the maximum number of employees would be around 100. He stated that the applicant had agreed to a development area contract and recommended that this be granted subject to the following conditions:

1. The entry and exit for the plan be located on old U. S. 183 with no access to the country road.
2. The parking and docking area be relocated between the proposed buildings or a berm with appropriate opaque screening to be provided.
3. The heavily wooded area on the western portion of the site be maintained as a buffer for the developing residential subdivision to the west.

4. The alleyway or county road along the south property line ultimately be closed, with the understanding that Woodcrest Drive will be relocated southerly toward Q Ranch Road.
5. Occupancy of the plant will be such that it will not overload the water system.
6. The plant be connected to the existing wastewater system as outlined in the S. A. Garza Report.
7. The site plan indicate to scale the location and design of the parking and docking area.
8. Where appropriate, these conditions should be made a part of the Planned Development Area contract.

He stated that the Planning Commission had recommended that this be approved subject to the departmental requirements as written into the contract. In response to Mayor Pro Tem Love's questions, Mr. Lillie thought that the applicant had gone over the contract and was in agreement with all the requirements.

DR. LON MORGAN, representing C.S.I., indicated that they agreed to the terms of the contract. He stated that C.S.I. desired to have this facility constructed and intended to make it extremely attractive. He felt that the usage of this area was very desirable and that the wooded area would provide sufficient buffer between them and the community. He noted that there had been a small intrusion of the buffer area and submitted copies of a letter from the owner in which he stated that he had authorized this work; however, Dr. Morgan stated that they would replant this with natural vegetation. He felt that this was an attractive project in that there would be less traffic flow and would consume less power and water than if 75 single-family dwellings were developed.

MR. BOBBY RAY, 6702 Woodcrest, submitted a petition representing more than 90% of the land owners living in Oak Forest in opposition to the land use designation as requested. He noted that he had not seen the contract which had been drawn up and mentioned the fact that part of the buffer zone had been destroyed. He felt that C. S. I. had been nebulous with the neighbors and asked for an enforceable contract to protect their homes and lives. In response to Councilman Friedman's question, Mr. Ray stated that the assurance that the demolition of the buffer would not happen again answered some of their questions.

City Attorney Don Butler stated that it was his understanding that they had agreed to a contract between the City and C.S.I. which would contain certain standards. Councilman Friedman announced that the City could enforce the contract. In response to Councilman Binder's question, Mr. Lillie stated that the contract had been completed on July 9, 1974.

In response to Mayor Butler's question, Mr. Ray stated that they were requesting the following:

1. Legal and enforceable contract to protect the home owners.
2. If the contract was not applied, the City would stop any construction at the location.

In response to Councilman Binder's question, Dr. Morgan stated that they would probably move in around February and were not subdividing the property. Councilman Friedman wondered if it would be possible to delay this one week to give the citizens a chance to see what was being proposed in that they had no idea what the contract called for. He felt that they should be able to see it.

MR. PAT MULLEN, attorney representing the land owners, stated that the contract was between Mayfield and the City and would become ineffective after the sale of the property to C.S.I. Dr. Morgan noted that when they moved in they would accept all the terms and conditions of the contract. Mr. Mullen stated that if the department's requirements were incorporated into the contract, they had no objections to it. He quoted from an article in the American Statesman in which Mr. Lillie had stated that some development like town houses or small offices was possible for the area. Mr. Mullen felt that this would not allow for the 200-foot buffer strip.

In response to Mayor Butler's question in regard to a week's delay, MR. JAMES K. PRESNAL, attorney representing Mr. R. T. Mayfield, stated that they had been expecting to cooperate with the neighbors by entering into this contract with the City and that Mr. Mayfield had a contract with a \$600 per day penalty attached to it. In response to Councilman Friedman's comment, Mr. Presnal stated that the contract had been displayed at a meeting the night before for the neighbors to review.

Councilman Dryden wondered if the Council might recess on this item and allow the neighbors to have any of their questions answered. Mr. Presnal stated that he could not commit his clients to a delay. In response to Mayor Pro Tem Love's question with regard to the possibility that Council might deny the project and C.S.I. would build anything they wanted, Mr. Mullen did not feel it would come to that.

After discussion, it was the consensus of the Council that this be postponed until July 25, 1974, pending review of the contract by the land owners in the area.

RELEASE OF EASEMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of the electric and telephone easement ten (10.00) feet in width in the 5.33 acres tract of unplatted land out of the SANTIAGO DEL VALLE GRANT. (Requested by M & K Properties, Inc., owner.)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox, Lebermann
Noes: None

COST DIFFERENCE PAYMENTS

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing payment to RAYMOND E. MITCHELL for the cost difference of 12"/8" water lines installed in Forest North Estates, Phase 3, Section 1, in the amount of \$5,018.63. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing payment to AUSTEX DEVELOPMENT COMPANY, LTD., the cost difference of 12"/8" water mains in Wagon Crossing, Section 1, in the amount of \$545.16. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

CASH SETTLEMENTS

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

ZIDELL PROPERTIES - For 60%/40% cash settlement for wastewater main extension for Zidell's One-Fifth Acre Subdivision in the amount of \$6,619.20. City's share at 60% will be \$3,971.52; owner's share at 40% will be \$2,647.88.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love
Noes: Councilmen Friedman, Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

DICK MATZ & EMILIE JAMAIL - For 60%/40% cash settlement in lieu of refund contract for the installation of water lines in Clear Creek Estates in the amount of \$5,767.49. City's share at 60% will be \$3,460.49; owner's share at 40% will be \$2,307.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love
Noes: Councilmen Friedman, Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

FOREST S. PEARSON - For 60%/40% cash settlement for water and wastewater service installation at Buddington's Subdivision, Resubdivision of Lots 1 and 2, Block 3, in the amount of \$1,870.00. City's share at 60% will be \$1,122.00; owner's share at 40% will be \$748.00.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love
Noes: Councilmen Friedman, Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

AUSTEX DEVELOPMENT COMPANY, LTD. - For 60%/40% cash settlement for water service installation at Windsor Park Commercial Area, Third Resubdivision of Block A, in the amount of \$680.00. City's share at 60% will be \$408.00; owner's share at 40% will be \$272.00.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love
Noes: Councilmen Friedman, Binder

CONTINUED HEARING ON LAND ACQUISITION FOR FIESTA GARDENS

Councilman Friedman noted that there had been scheduled a continued public hearing for July 25, 1974, in connection with land acquisition for Fiesta Gardens expansion and stated that the City Manager's report would not be complete by that date. Mr. Jesse Segovia appeared and requested that a night meeting be scheduled to allow for more citizen input.

Motion

Councilman Lebermann moved that the Council set a continued hearing for August 22, 1974, at 7:00 p.m. on the Fiesta Gardens expansion. Councilman Friedman seconded the motion.

Roll call showed the following vote:

Ayes: Councilmen Lebermann, Friedman, Mayor Butler
Noes: Councilmen Dryden, Handcox, Mayor Pro Tem Love,
Councilman Binder

The Mayor announced that the motion failed to carry.

Substitute Motion

Councilman Friedman moved that the Council set a continued hearing for August 22, 1974, at 1:00 p.m. on the Fiesta Gardens expansion. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro
Tem Love, Councilmen Binder, Dryden, Friedman
Noes: None

ACCEPTANCE OF RIGHTS OF WAY IN CONNECTION
WITH WEST 38TH STREET AND WABASH AVENUE

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to accept certain rights of way that Seton Hospital had offered to donate to the City of Austin in connection with the widening of West 38th Street and the relocation of Wabash Avenue. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

ACQUISITION OF LAND FOR FIESTA GARDENS

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of 2102 Bergman (Matilda Hernandez et ux) for the expansion of Fiesta Gardens at Town Lake. (Requested by Robert Mueller, Attorney for owner.) The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

ACQUISITION OF RIGHT OF WAY FOR EAST RIVERSIDE DRIVE

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to exercise an option to acquire certain right of way (1800-1802 East Riverside Drive, H. H. Rothell, Jr., and Dan Felts) for East Riverside Drive. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

CONTRACT FOR CAPITAL IMPROVEMENTS GRANT

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to execute a contract with the Urban Mass Transportation Administration for a Capital Improvements Grant in the amount of \$933,800.00. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

GRANT AWARD IN CONNECTION WITH PROCESSING EQUIPMENT FOR POLICE

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to accept a grant award from the Texas Criminal Justice Division for "Color Photography Processing Equipment for the Austin Police Department" for a one-year period beginning June 1, 1974, in the amount of \$18,150.00. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

CONTINUATION REQUEST FOR POLICE-COMMUNITY RELATIONS PROGRAM

Councilman Lebermann moved that the Council adopt a resolution authorizing the City to submit a continuation request to the Texas Criminal Justice Division for the "Police-Community Relations Program" in the amount of \$60,700.00. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

PROFESSIONAL ENGINEERING CONSULTANT

Councilman Friedman moved that the Council select Lockwood, Andrews & Newnam, Inc., as the professional engineering consultant for the following project for the Public Works Department:

East Riverside Drive improvement, east of Pleasant Valley
Road, westerly to Summit Avenue. (Capital Improvements
Program Project No. 6249 0.)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox, Lebermann
Noes: None

DISPOSITION OF SUBSTANDARD STRUCTURES

Councilmen Lebermann moved that the Council accept the recommendations of the Building Standards Commission that the Legal Department take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

1157-E Eastfield Drive	Elvin Brown
1157 (north unit) Eastfield Drive	Elvin Brown
5403 Evans Avenue	Rudolph Dittman, Sr.
808 Lincoln Street	Ned Granger
2017-B East Third Street	Ned Granger & Charles Schroeder
2416 South Second Street	Seth Ates

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler
Noes: None

CONTRACT FOR NURSING PROGRAM

It was noted that approval of a contract for the Nursing Program at Brackenridge Hospital between the City and the Austin Community College was before the Council for consideration. Councilman Friedman noted that there had been some discussions and problems with the nursing staff and wanted to know the following:

1. If those students who had been provided food and money for rent would be protected through the time they would be in nursing school.
2. What provisions were being made for the staff being transferred to Austin Community College from Brackenridge.

In response to this, City Manager Davidson stated the following:

1. Upon the recommendation of the hospital administration, the Hospital Board approved a plan to maintain the City's commitments to the nurses that had dormitory and food privileges in connection with the school.
2. At the request of several members of the Board, he had a meeting with members of the faculty of the nursing school; and several matters that concerned them were discussed with the Board yesterday. As an example of what the City had done to make certain these people were treated fairly, he noted that as they transferred they would not be able to obtain maternity benefits. However, he added that since there were three pregnant women, the City had agreed to maintain these women on the City's payroll until after delivery.

He further noted that there were a few things that they would like to have and that it had been suggested that they talk to Dr. Thomas Hatfield, President of Austin Community College, after their transfers. It was his opinion from a professional standpoint and monetary standpoint that the pluses for these faculty members would greatly outweigh any minuses.

Mr. Jim Pfluger, Chairman of the Brackenridge Hospital Advisory Board, noted that the Board had spent a great deal of time trying to get a number of these preliminary problems worked out with the faculty. He believed that the majority of them had been solved and that the Board had asked (through the offer of Ms. Andrea Beatty, Personnel Director) that each faculty member be personally contacted and a comparison drawn up as to what their present benefits were as well as what their new status would be with Austin Community College. He noted that after the interviews, they would report back to the Board to see what areas were still not satisfactorily solved. He further noted that there were still some questions concerning some back sick leave and one question concerning a part-time faculty member.

In response to Councilman Friedman's question, Mr. Pfluger stated that while they were trying to isolate some of the cost factors, they felt that the educational portion could be better handled in a more educational atmosphere and that the Board would continue in a very active role as advisors to the College. He felt that they had an obligation to the physicians to maintain a high quality of nurses.

Dr. Bruce Rouse, part-time faculty member at the Brackenridge Hospital School of Nursing, stated that he was in agreement with the principle of this contract; however, there were some faculty concerns which had not been answered. He noted that he had found out yesterday that he and the other part-time person would not be transferred to an equivalent position and would have to work part-time at Austin Community College with a reduction in his salary of approximately \$4,000. He also noted that there was one faculty member who had 14 years with the City and would lose this time accrued. He requested that a contract of some sort be drawn up for the transitional period for certain assurances.

City Manager Davidson noted that the City had some limitations as to what they could pay off in the way of sick leave. With regard to the retirement program, he stated that any employee on the faculty who would rather not be transferred had the option of letting the City assist him in finding another position with the City so that he would not lose his years of retirement benefits. He felt that hardly any faculty member would do that because of the superiority of the retirement program available through Austin Community College.

After further discussion between Dr. Rouse, Councilman Dryden, and City Manager Davidson, Mr. Davidson noted that he had just been informed that the person with 14 years in the City had opted to stay with the City. Councilman Dryden made several remarks with regard to the fact that the Board and Dr. Hatfield and the City's staff had done a lot of hard work to make this contract so satisfactory.

At this point, Mr. Will Brown, Brackenridge Hospital Administrator, stated the 39 students who were being displaced because of the transfer would receive \$70 for lodging and \$60 for food and that the junior and senior students who would be residing outside would be provided meal tickets.

Councilman Lebermann moved that the Council adopt a resolution approving a contract for the Nursing Program at Brackenridge Hospital between the City of Austin and the Austin Community College. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love

Noes: None

Dr. Hatfield stated that this contract represented a great deal of effort and felt that it was a legal and sound way of combining the funding of the college with that of the City to strengthen the nursing program. He thanked the Council for their favorable action.

REQUEST IN CONNECTION WITH DEVELOPMENT OF NEW SUBDIVISIONS

It was noted that Mr. Henry M. Streety had requested to appear before the Council regarding the development of new subdivisions. He noted that in 1972 he had started a suburban project and after work was underway, he did not receive the benefit of the refund contract because he did not have a permanent plat on file at the time. He also noted that he was about 8/10 of a mile from the City limits.

Mr. Curtis Johnson, Water and Wastewater Director, stated that work on Mr. Streety's subdivision had been taking place at about the same time study was being made on refund contracts outside the City limits. He stated that Mr. Streety's request was for a waiver from the normal policy in that his subdivision plat was filed May 15, 1974, after the August 14 cut off date which Council established on August 10. In response to this, City Manager Davidson indicated that there were hundreds of subdivision plats that were in the same condition and had been in various steps of being completed. He noted that he had informed Mr. Streety of the situation and assumed he was before the Council to appeal this decision.

Mr. Streety further noted that his water line had been put in and approved as of July 5, 1973, and that he could not file his plat until the dedication of the street. Councilman Binder commented that if this were approved, it would set a precedent for others in the same situation. Mr. Streety wondered if there was any chance for a refund if this area were to be annexed into the City.

After further discussion, Mr. Streety was requested to meet with Mr. Lillie in relation to the procedure for request for annexation.

REQUEST REGARDING RESTORATION OF HEMPHILL SQUARE

It was noted that Mr. Chartier Newton, representing the Austin Regional Group of the Sierra Club, had requested to appear before the Council regarding the restoration of Hemphill Square to active status as one of Austin's City parks. Mr. Newton distributed copies of his request to Council. He reviewed the fact that this had been one of Austin's four original town squares and

had been converted to a parking lot, with the City leasing the space to a private concern. They believed this should be returned to park use in that they felt there was a need to preserve worthy examples of Austin's past. He noted that the Sierra Club had voted to undertake this restoration as their Bicentennial project. He added that the Parks and Recreation Board had endorsed this idea, and members of the Bicentennial Commission had indicated their support.

He requested that the Council authorize additional appropriate steps to begin work on this as soon as possible, with the following specific aspects of their request:

1. Memphill Square should be developed as a quiet, green space with a minimum of man-made construction.
2. All the plant materials used in the design should be native to Central Texas.
3. The park should be physically and visibly tied to Town Lake with new tree-lined textured sidewalks along both sides of Guadalupe Street and San Antonio Street between the Square and Town Lake.

Councilman Lebermann noted that he had been in contact with this organization. Therefore, Councilman Lebermann moved that the Council accept the assistance of the Club and designate this as a Bicentennial effort and instruct the staff to work with the Club in the restoration process. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Butler, Mayor Pro Tem Love, Councilman Binder
Noes: None

In response to Mayor Butler's question, City Manager Davidson stated that the lease on this expired this month and recommended that this not be done all at one time and hoped that he could come back with some sort of recommendation as to the timing. In response to City Manager Davidson's question, Mr. Ternus indicated that the rental of this property gave the City \$13,000 in revenue.

RESOLUTION IN CONNECTION WITH SPECIAL TRANSPORTATION

It was noted that Mr. Larry Meyers, Executive Director of the Community Council of Austin, had requested to appear before the Council to present a resolution regarding recognition of the Special Transportation Committee as the official citizens' group to serve as a liaison between the Transportation Department and the community in the development of special transportation for the mobility impaired in Austin. However, Mr. David Thomas, Chairman of the Special Transportation Committee, appeared in Mr. Meyers' behalf. He reviewed the resolution as follows:

1. Had been stated that there were between 30,000 and 50,000 mobility impaired people in Austin.

2. There was a meeting of some 30 agencies dealing with the handicapped and elderly, and they agreed there was a tremendous need for some type of transportation service for the handicapped and elderly.
3. Currently Austin did not have either a private or public system adequate to meet their needs.
4. In terms of federal funding of urban transit projects, it had been made quite clear by the Urban Mass Transportation Act (UMTA) that cities that adequately met the needs of the handicapped and elderly would receive priority in terms of development of public transit.

He stated that the essence of the resolution was that the Community Council Ad Hoc Committee be recognized as a liaison to the City in the development of a transportation system to meet the needs of the handicapped and elderly.

He noted that since working with the City about four weeks ago, the Department of Health, Education and Welfare and the Transportation Department had signed a joint working agreement that funds under Section 16 of UMTA of 1964 (which sets aside 2% of the funds available for capital grants and study) would be made available for the handicapped and elderly for the fiscal year beginning 1975.

In response to Councilman Binder's question, Mr. Joe Ternus, Urban Transportation Director, felt that this was in line with the spirit of transportation planning efforts and was encouraged with this type of citizens' liaison group to assist in the technical work that was necessary not just in developing a transit system that everyone could use but also in other aspects such as ramps.

In response to Councilman Binder's question, Mrs. Edwards, representing MIGHT (Mobility Impaired Grappling Hurdles Together), stated that she had been in touch with this organization. Councilman Binder thought it was excellent that the Community Council had volunteered its time to coordinate with the City. Councilman Binder moved that the Council accept the resolution. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilmen Binder, Dryden
Noes: None

REQUEST FOR EXTENSION IN CONNECTION WITH DEMOLITION

Mr. Hubert Gill, representing Mr. Emil Roos, appeared before the Council to request an additional extension of 90 days on demolition in connection with his structure located at 1603 Gregory Street. He noted that Mr. Roos had this under contract for sale. Mayor Pro Tem Love moved that the Council grant the request for a 90-day extension. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro
Tem Love, Councilmen Binder, Dryden, Friedman
Noes: None

REQUEST TO HANG BANNER

Councilman Lebermann moved that the Council approve a request by Rev. Louis Pavlicek, representing Community of Cristo Rey Church, to place a banner across Second Street at the intersection of Second and Corta from July 29 to August 11, 1974, to advertise annual parish Jamaica. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman, Handcox
Noes: None

APPROACH MAIN CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH R. O. DAVIS. (R. O. Davis Addition)

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,
Handcox, Lebermann
Noes: Councilmen Binder, Friedman

The Mayor announced the ordinance had been finally passed.

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH RAYMOND E. MITCHELL; AUSTEX DEVELOPMENT COMPANY, LTD.; AND WESTOVER HILLS OF TEXAS, INCORPORATED, AND AUSTIN INDEPENDENT SCHOOL DISTRICT. (Forest North Estates, Phase 3, Section 1; Wagon Crossing, Sections 1 and 2; Cima Serena, Tallwood Drive, and Robbie Drive Street Dedication)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,
Handcox, Lebermann
Noes: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

DELETIONS AND ADDITIONS TO SPEED ZONES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING AN ADDITION AND DELETION TO SUBSECTION (a) THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d), SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (South Congress Avenue)

Councilman Friedman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Hancock, Lebermann, Mayor Butler
Noes: None

The Mayor announced that the ordinance had finally passed.

SUPPLEMENTAL APPROPRIATIONS FOR C.I.P. PROJECTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730802-E, CAPITAL IMPROVEMENT PROGRAM BUDGET, APPROPRIATING ELECTRIC REVENUE BOND SALE PROCEEDS TO CERTAIN ELECTRIC DEPARTMENT CAPITAL IMPROVEMENT PROJECTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Hancock, Lebermann, Mayor Butler
Noes: None

The Mayor announced that the ordinance had finally passed.

AMENDMENT TO CIVIL SERVICE ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE PERTAINING TO COST OF LIVING SALARY INCREASES FOR POLICE CADETS AND FIRE CADETS; AMENDING PARTS 1 AND 2 OF ORDINANCE NO. 731004-B TO PROVIDE AN INCREASE IN THE MONTHLY BASE SALARY OF CERTAIN CIVIL SERVICE PERSONNEL AFTER REEVALUATION; PROBATIONARY PAY; TO PROVIDE SENIORITY PAY FOR FIREFIGHTERS AND TO PROVIDE FOR COST OF LIVING SALARY INCREASES; ESTABLISHING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO CLASSIFICATION ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 681114-A BY REVISING THE BASIC PAY SCHEDULE THEREOF; AMENDING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO BUDGET ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730913-G, BUDGET ORDINANCE, TO PROVIDE APPROPRIATIONS FOR EMPLOYEES' PAY INCREASES TO CERTAIN DEPARTMENTAL ACCOUNTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 2, SHELL SUBDIVISION, LOCALLY KNOWN AS 8200 NORTH INTERSTATE HIGHWAY 34, ALSO BOUNDED BY EAST POWELL LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (H & J Investment Company, C14-74-074)

Councilman Friedman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love

Noes: None

The Mayor announced that the ordinance had been finally passed.

CONFIRMATION OF APPOINTMENT

Councilman Dryden moved that the Council confirm the appointment of Mr. H. Curtis Weeks, Jr., to the Civil Service Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilman Binder

Noes: None

ADJOURNMENT

The Council adjourned at 5:40 p.m.

APPROVED: 

Mayor

ATTEST:



City Clerk